

ATTORNEY DOCKET NO. DB001016-001 (CREA01-00023)  
U.S. SERIAL NO. 10/619,131  
PATENT

**AMENDMENTS TO THE CLAIMS**

1. (Previously Presented) A wale for use in bracing a retaining wall, said wale comprising:  
a back wall;  
a front wall having a channel formed therein; and  
a plurality of connecting walls connecting said back and front walls to form at least one chamber between said back wall and said front wall;  
and wherein said channel has a depth sufficient such that when said wale is secured to said retaining wall by a tieback rod passing through said wale and a fastener, said tieback rod and said fastener do not protrude from the channel.
2. (Original) The wale of claim 1 wherein said wale is of a unitary construction and said plurality of connecting walls includes a top wall and a bottom wall, and wherein a single chamber is formed between said back wall and said front wall.
3. (Original) The wale of claim 1 wherein said wale is of a unitary construction and said plurality of connecting walls includes a top wall, an upper reinforcing wall, a lower reinforcing wall, and a bottom wall, and wherein a plurality of chambers are formed between said back wall and said front wall.

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4. (Original) The wale of claim 1 wherein said wale further comprises a pultruded composite material.

5. (Original) The wale of claim 4 wherein said composite material is fiberglass reinforced plastic resin impregnated composite.

6. (Previously Presented) A retaining wall wale, comprising:

a back wall

a front wall having a top portion and a bottom portion interconnected by a C-shaped channel portion;

a top wall connecting said back wall to said top portion; and

a bottom wall connecting said back wall to said bottom portion to form a chamber between said back wall and said front wall;

and wherein said channel portion has a depth sufficient such that when said wale is secured to a retaining wall by a tieback rod passing through the said wale and a fastener, said tieback rod and said fastener do not protrude from the channel portion.

7. (Original) The wale of claim 6 further comprising:

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an upper reinforcing wall and a lower reinforcing wall each connecting said back wall to at least one of said top portion, said C-shaped channel portion, and said bottom portion such that a plurality of chambers are formed between said back wall and said front wall.

8. - 27. (Canceled)

28. (Currently Amended) A wale for use in bracing a retaining wall, said wale comprising:

a back wall having a first opening therein and operable for receiving a tieback rod therethrough;

a front wall having a channel formed therein and having a second opening therein and operable for receiving the tieback rod therethrough;

a plurality of connecting walls connecting said back and front walls to form at least one chamber between said back wall and said front wall; and wherein said wale is of a unitary construction.

29. (Previously Presented) The wale of Claim 28 wherein said channel has a depth sufficient such that when said wale is secured to a retaining wall by a tieback rod and a fastener, said tieback rod and said fastener do not protrude from the channel.

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30. (Currently Amended) The wale of claim 28 wherein ~~said wale is of a unitary construction and~~ said plurality of connecting walls includes a top wall, an upper reinforcing wall, a lower reinforcing wall, and a bottom wall, and wherein a plurality of chambers are formed between said back wall and said front wall.

31. (Previously Presented) The wale of claim 28 wherein said wale further comprises a pultruded composite material.

32. (Previously Presented) The wale of claim 31 wherein said composite material is fiberglass reinforced plastic resin impregnated composite.

33. (New) The wale of claim 1 wherein said back wall and said channel each comprise an opening therein and operable for receiving said tieback rod therethrough.

34. (New) The wale of claim 6 wherein said back wall and said C-shaped channel portion each comprise an opening therein operable for receiving said tieback rod therethrough.